

CONSENT AWARD

Dated 7 February 2023 and issued by the

FEI TRIBUNAL

Sitting in the following composition:

Sole Panel Member: Jose A. Rodriguez Alvarez (MEX).

in the matter between:

FÉDÉRATION EQUESTRE INTERNATIONALE (FEI)

and

Mr Hector FLORENTINO ROCA in his capacity as the **Person Responsible** in the following case:

Case: C22-0042 – ROCA

FEI Case reference: Case 2022 BS08 (2022 ATF09) MEADOWVALE CRUISE

Person Responsible/ID/NF: Hector FLORENTINO ROCA/10009161/DOM

Horse/Passport: MEADOWVALE CRUISE/106CQ68/USA

Event/Date/ID: Bolivarian Games-S - Bogotá (COL), 24.06. – 05.07.2022, 2022_G-Boliv_0001_S_S

Date of sample collection: 02.07.2022

Prohibited Substance(s): Testosterone

Bar Code No.: 5615244

I. Parties

1. The Fédération Equestre Internationale (the "FEI") is the sole IOC recognised international federation for equestrian sport. The FEI is the governing body for the FEI equestrian disciplines of dressage, jumping, eventing, driving, endurance, vaulting, and para-equestrian.
2. Mr Hector FLORENTINO ROCA (FEI ID 10009161), the Person Responsible (the "PR"), is a rider from the Dominican Republic and competed with the Horse, MEADOWVALE CRUISE (the "Horse"), at the Bolivarian Games-S - Bogotá (COL), 2022_G-Boliv_0001_S_S, held between 24 June 2022 and 05 July 2022 (the "Event").

II. Factual background and initial proceedings

3. The Horse was tested during the Event and returned a positive result for Testosterone, which is an anabolic steroid that improves performance by promoting muscular development. Testosterone is a "Banned Substance" under the FEI's 2022 Equine Prohibited Substances list.
4. On 28 July 2022, the FEI informed the PR of an apparent Atypical Finding (the "ATF") according to the FEI Equine Prohibited Substances List and the FEI Atypical Findings Policy¹. The FEI further explained that such an ATF would be subject to further investigation before deciding whether it could be deemed as an Equine Anti-Doping Rule Violation ("EADRV").
5. On 12 October 2022, pursuant to the FEI Atypical Findings Policy and in accordance with Articles 7.2 of the FEI Equine Anti-Doping and Controlled Medication Regulations (the "EADCMR"), the ATF Panel decided that the ATF should be pursued as an Adverse Analytical Finding ("AAF").
6. On 13 October 2022, the FEI notified the PR an alleged EADRV and provisionally suspended the PR and the Horse (for a 2-month period) in accordance with the EADCMR² (the "Notification Letter").
7. In the Notification Letter, the FEI provided the PR with an option to admit the rule violation, accept the proposed consequences and benefit from a six (6) month reduction of the otherwise applicable period of "Ineligibility" of two (2) years in accordance with Article 10.8.1 of the EAD Rules.

¹ [ANNEX 15.3 GA20 ATF Policy.pdf \(fei.org\)](#)

² FEI Equine Anti-Doping & Controlled Medication Rules, 2nd edition, effective 1 January 2021.

8. On 23 November 2022, the FEI notified the PR the analysis report of the B-Sample which confirmed the presence of the Prohibited Substance Testosterone above the FEI threshold. As such, the FEI maintained the alleged violation against the PR.
9. On 13 December 2022, the PR submitted to the FEI a duly signed Acceptance of Consequences Form electing to admit the violation and receive a six (6) month reduction in the applicable period of ineligibility.

III. Summary of the proceeding before the FEI Tribunal

10. On 15 December 2022, the FEI submitted to the FEI Tribunal (the "Tribunal") the duly signed Acceptance of Consequences Form together with the Notification Letter and its Annexes, and requested that the FEI Tribunal issue a "Consent Award", confirming the accepted consequences to be imposed on the PR.
11. On 6 January 2022, the Tribunal informed the Parties of the appointment of a one-person hearing panel to adjudicate and approve this case. The Parties were asked to provide any objections to the constitution of the hearing panel by 11 January 2023.
12. On 9 January 2023, the FEI informed the Tribunal that it did not have any objections to the constitution of the hearing panel. Neither the PR nor the Equestrian Federation of the Dominican Republic (the "DOM-NF") informed the Tribunal of any objection to the constitution of the hearing panel. Therefore, by not responding within the deadline, his silence was inferred as his agreement to the constitution of the hearing panel.
13. Neither party requested an oral hearing.
14. On 9 January 2023, the PR submitted a letter to the Tribunal setting out his equestrian background, experience and position in respect of these proceedings.
15. On 16 January 2023, the Tribunal issued a letter to the Parties and requested their respective positions, by 23 January 2023, on what appeared to be a discrepancy between the initially signed documents and the position of the PR remitted on 9 January 2023.
16. On 16 January 2023, the FEI stated that in its opinion, once the acceptance form was signed, the PR could not withdraw such acceptance. Therefore, the FEI stated they were not in a position to comment any further on this case.

17. On 16 January 2023, the PR confirmed his acceptance of the consequences, as per his signed form dated 15 December 2022.
18. On 19 January 2023 the Dom-NF submitted a letter to the Tribunal setting out its full support for the PR in these proceedings.
19. On 7 February 2023, the Tribunal issued a letter to the DOM-NF in response to their letter of 19 January 2023.

IV. Jurisdiction

20. The jurisdiction of the FEI Tribunal, which is not disputed, derives from the:

Statutes 24th edition, effective 19 November 2019 (“Statutes”), Arts. 1.5, 38 and 39.

General Regulations, 24th edition, 1 January 2022, updates effective 1 January 2022, Arts. 118, 143.1, 159, 164, 165 and 167 (“GRs”).

Internal Regulations of the FEI Tribunal, 3rd Edition, 2 March 2018 (“IRs”).

FEI Equine Anti-Doping and Controlled Medication Regulations (“EADCMRs”), 3rd edition, changes effective 1 January 2021.

V. Early Admission and Acceptance of Sanction

21. In accordance with Article 10.8.1 of the EAD Rules *“Where a Person Responsible and/or member of the Support Personnel and/or other Person, after being notified by the FEI of a potential EAD Rule violation that carries an asserted period of Ineligibility of two (2) years or more years (including any period of Ineligibility asserted under Article 10.4), admits the violation and accepts the asserted period of Ineligibility no later than twenty (20) days after receiving notice of an EAD Rule violation charge, the Person Responsible and/or member of the Support Personnel and/or other Person may receive a six (6) month reduction in the period of Ineligibility asserted by the FEI. Where the Person Responsible and/or member of the Support Personnel and/or other Person receives the six (6) month reduction in the asserted period of Ineligibility under this Article 10.8.1, no further reduction in the asserted period of Ineligibility shall be allowed under any other Article.”*

VI. Ratification of the Accepted Consequences

22. The PR has explicitly admitted the rule violation and accepted the following consequences (in accordance with the Article 10.8.1 of the EAD Rules):

- A period of Ineligibility of eighteen (18) months commencing from the date of the Final Decision by the FEI Tribunal (the Provisional Suspension already served shall be credited against the imposed Ineligibility Period); and
- A two (2) month period of provisional suspension of the Horse, commencing as of the date of the Notification letter; and
- Disqualification from the whole Event and forfeiture of all medals, points, prize money, etc. won at the Event with the Horse; and
- Fine of CHF 5'000.-; and
- Costs of CHF 1'000.- (in case of B-sampling).

23. In view of the above, the sole panel member confirms that the above Accepted Consequences comply with the EAD Rules and finds no grounds to object to the terms of the Accepted Consequences.

ON THESE GROUNDS

1. The sole panel member hereby ratifies the Accepted Consequences by the PR in the case C22-0042 ROCA [MEADOWVALE CRUISE Case 2022 BS08 (2022 ATF09)] and incorporates its terms into the Consent Award.
2. Each Party is hereby ordered to perform the obligations and duties pursuant to the Acceptance of Consequences Form.
3. The Consent Award is pronounced without costs.
4. This Consent Award is final and is not subject to an appeal as the PR has waived this right.
5. This Consent Award shall be published in accordance with Article 14.3 of the EAD Rules.

DECISION TO BE FORWARDED TO:

a. The Parties:

- FEI
- Mr Hector Florentino Roca

b. Any other:

- The DOM-NF

FOR THE TRIBUNAL

A handwritten signature in black ink, consisting of a large, stylized 'R' followed by a vertical line and some smaller, less legible characters.

Jose A. Rodriguez Alvarez (MEX).